

REMARKS

This application, as amended herein, contains claims 1-18, and newly added claims 19 and 20.

Claims 8 and 13-15 were rejected as being anticipated by Lee ('367.). Claims 1, 3, 10, 11, 12 and 18 were rejected as obvious over Lee in view of Abecassis. Claim 2 was rejected as obvious over Lee in view of Abecassis, further in view of Lai. Claims 4-6 were rejected as obvious over Chang in view of Abecassis in view of Lee. Claim 7 was rejected as obvious over Chang in view of Abecassis in view of Lee and further in view of Lai. Claim 9 was rejected as obvious over Lee in view of Chang in view of Abecassis. Finally, claims 16-17 were rejected as obvious over Abecassis in view of Lee.

All of the rejections are based at least in part on Lee (U.S. Patent No. 6,748,367). While the verified English language translation of the application from which priority, under 35 U.S.C. 119, is claimed has not yet been submitted, it will be submitted shortly to support Applicant's claim to priority. For the reasons set forth in the previous Amendment, it is respectfully pointed out to the Examiner that Lee is not a proper reference against the present application, for the following two reasons taken together:

1. The priority date to which the applicants of the present invention are entitled (March 30, 2000) based on their filing of a corresponding application in Japan, is prior to

the filing date of the regular application of Lee (serial number 09/667,832, filed on September 21, 2000).

2. The Examiner relies on Lee for the teaching of the use of a temporary account. The Examiner's Response to Arguments have been duly noted, and the claims amended in response. A careful review of Lee's provisional application (serial number 60/155,858 filed on September 24, 1999) which is available in the public portion of the PAIR system, shows that the provisional application does not teach or even remotely suggest the use of a temporary account for a single designated or predetermined transaction, such as, for example, one that is set up for the a current transaction, and then is deleted after the transaction has been completed. Lee's provisional application is directed to an Internet teller machine, which generates digital tokens or digital cash that may be pasted on to a vendor's payment form (provisional specification, page 5 of 10, top). Tokens are moved to a claim pool (provisional specification, page 5 of 10, top); which is not a temporary account for a single designated or predetermined transaction, as set forth in the independent claims, as amended herein. In fact, the digital tokens of Lee may be used with any merchant for any transaction. While certain security precautions are suggested in Lee, the digital token may be subject to loss or misdirection under certain circumstance.

The present invention, as set forth in independent claims 1, 4, 8, 10, 13, 16 and 18, patently distinguishes from the approach of Lee. The present invention sets up a

temporary account for use only for the transaction being conducted. There is no "pool" of funds. The funds are not in the form of digital cash, which can be used for any transaction, but instead the funds are held only for a specific transaction. This provides both more security and convenience to the user. Applicants' invention, as set forth in the independent claims is not taught or suggest by Lee's approach. It is thus submitted that claims 1, 4, 8, 10, 13, 16 and 18 are directed to patentable subject matter.

Newly added claim 19 recites that the account holds only a required amount of money for the single designated transaction. Newly added claim 20 recites that the account can only be used to transfer a required amount of money for the single designated transaction to a fixed destination. Support for these claims can be found at least at page 16, lines 9 - 12 of Applicants' specification. These claims serve to further distinguish Applicants' invention from the teachings of Lee's provisional application. First, as noted above, the digital tokens of Lee are not a temporary account of the type specified in the independent claims, as noted above. Further, there is no teaching or suggestion in Lee, that the digital tokens are of a required amount for a specific transaction. In fact, page 5 of Lee's provisional application (lines 5-6) teaches a proper combination of Internet cash tokens to meet the requested amount. This is because the tokens would be in specific cash amounts (as with ordinary cash) for use in any transaction, and thus there is no specific amount in the pool for any predetermined transaction. Lee does not teach or suggest

only a required amount of money for the single designated transaction, as set forth in claim 19. In addition, the digital tokens of Lee can be used with any vendor, and there is no teaching or suggestion that the account can only be used to transfer a required amount of money for the single designated transaction to a fixed destination (for example, a specific merchant), as specifically set forth in claim 20.

In view of the above, it is submitted that claims 19 and 20 are also directed to patentable subject matter.

Specific Rejections Based on Lee

In each of these rejections, the Examiner has relied on Lee to teach a temporary account. However, because the Examiner may not rely on Lee, for this subject matter, for the reasons set forth above, all of these rejections must be withdrawn.

The remaining claims depend from one of the independent claims discussed above. These claims recite further elements, which in combination with the elements of the independent claims, are not shown or suggested in the art of record. For the reasons set forth above with respect to the independent claims, it is submitted that the dependent claims are directed to patentable subject matter.

In view of the above, it is submitted that all of the claims are patentable over the art of record. Allowance of this application is respectfully requested, as soon as the

verified translation of the document from which priority is claimed, is submitted.

Applicants request an extension of time of three months for the filing of the RCE and this paper. A check for \$1,020 is enclosed.

Respectfully submitted,

David Aker

David Aker, Reg. No. 29,277
23 Southern Road
Hartsdale, NY 10530

8/2/2006

Date

Tel. & Fax 914 674-1094